

Discussion: When to fire the employee with negative attitudes and/or poor behaviour.

A good number of business owners and managers have employees who are giving them serious concerns about their suitability for the position that the employee currently holds.

Common behavioural symptoms of the employee's negative attitude include:

- Frequent requests for more money/benefits for the job they do.
- Complaints regarding their work load "too much to do not enough hours in the day"
- Victim statements such as "I work harder than the others (peers or colleagues) and it is never noticed or appreciated" or "I feel I am being taken for granted"
- Bitchiness and negativity toward other staff and customers resulting in complaints from both groups. Other staff often report that they feel they are "walking on eggshells" when around this person. Customers will either stop dealing with the person and request someone else to look after them or go elsewhere.

Sound familiar?

Commonly, these people have been in their roles with the business for some time. During that time technology and system changes may have occurred which would have required new learning and adaptations by the employee. While most employees understand the need for upskilling and adaptation, some don't seem to "get it". The latter group are the focus of this article.

For example, consider the 60 year old long serving administrator who works in a professional practice, who was continually behind in her work, and who convinced her boss, because of the "excessive" workload, that she needed an assistant. A qualified 23 year old is appointed and within days of starting had her job and that of the 60 year old nailed. The younger woman saw no need for two people and wondered what the older woman was doing all day (other than complain about "how busy she was").

Or the long serving accounts receivable person who was well paid but wanted more. While not doing a bad job, she had conflicts with 50% of the staff of 50 and for months had refused to speak to, amongst others, the National Sales Manager (whom she described as a "f***wit") and the Customer Service Manager (whom she said was an "ungrateful bitch"). When the customer complaints rolled in in early 2015, the General Manager decided to take action.

Alternatively, the Technician in the printing business who steadfastly resisted change and who worked to rule ("that is not my job description"). The problem being that the industry, like many, has changed massively from being technical hands on and labour intensive to digital and electronic. In short, old style printers have to adapt – or die. However, when they hang on and complain to anyone who will listen, and tout their rights constantly there comes a point when something has to be done.

Would a firing be in order?

Before your next action is predicated by a rush of blood to the head, take a deep breath, and consider the bigger picture.

If you are a business owner you are, or should be, in business for fun and profit. The first question then is, is this employee good to deal with i.e. a reasonable, fair minded, can do type? Second question: Does this employee, when all things are considered, add value to the business financially?

If the answer to these two questions is no, then inaction is not an option. Yet inaction is precisely what a large number of bosses and managers default to.

Why you ask?

In a word – FEAR! Fear of costly lawsuits. Fear of the direct face-to-face conversations tackling the hard issue. Fear of doing something wrong in the process and then being sent to mediation or the employment courts.

In general Fear of the unknown.

Let us dispel some of the urban myths then:

Myth 1 – *Attitude is not a performance and as such cannot be performance managed.*

Actually, attitudes are inferred from the observation of behaviour and those behaviours can be performance managed. Just make sure when you are talking to the employee (with poor attitude) that you focus the discussion on their observable behaviours- not their attitude, and link their behaviours to your code of conduct and to commonly accepted standards of behaviour.

Myth 2 – *The employee is vastly experienced and their skills will be difficult to replace.*

Usually not, true. A new employee with the right attitudes and a brain will normally get up to speed very quickly if the long serving negative well poisoner is removed from the environment. One of the standard tricks of the long serving well poisoner is to generate an impression that they are indispensable. Some bosses fall for this trick, which is why it is one of the well poisoners favourites.

Myth 3 – *If I take HR or legal advice and play it safe by following the rules at least I won't get a personal grievance (PG).*

Not always. Most HR practitioners are rather sensible, very knowledgeable and most are risk averse when it comes to such matters. This is how they are trained. There are occasions where the low risk approach is indicated yet there are still no guarantees that a personal grievance, frivolous or otherwise, will not follow a considered and cautious approach. The strictly legal approach is generally confrontational, pedantic and predicated by Employment Law and precedent. *The person who referees the fight and ends up with the purse – costly!*

If it is accepted that the negative employee is costing money and adding to the owners stress then it follows that the longer it takes to get rid of the employee the higher the price both financially and emotionally.

The 'safe' HR approach will always take time and may or may not produce the desired result. Likewise mediation. Counselling employees with negative attitudes sometimes works, usually for a short while, costs time and money and generally does not result in long-term change. That said, well worth trying as a first step, if for no other reason than to show that you are prepared to act in good faith.

Counselling is recommended as a first step and (when it does not work) sets the stage for step two, which is to fire them.

As a rule of thumb, the writer recommends a maximum of three counselling sessions over a span of not more than two weeks. If the employee demonstrates that they are committed to changing their ways all well and good. If there are outside circumstances that are affecting the employee then address these in the appropriate way.

If on the other hand, the negative employee shows no insight into the effect their behaviour has on others – which is commonly the case – blames others or engages in 'victim pity party' talk, then all reasonable approaches to solving the problem are destined to end in tears.

Since publishing my book "Pricks, Losers and Well Poisoners – positive strategies for dealing with negative people in 2011, I have been inundated with requests to assist owners and managers deal with difficult employees. In every case the desired result (the employee resigned) was achieved generally within five days. The quickest was 90 minutes. Importantly, there were no repercussions. In every case the settlements were full and final. The employees were put on garden leave for their period of notice. The details of settlement agreements were confidential. Normally, lawyers were not involved. Where they were the settlement sum did not increase (although I daresay the cost to the employee did).

The mood of the workplace improved immediately in every case. Most of the more marginal employees quickly jumped back into line. A good outcome for all involved.

I look forward to helping more business owners with their troublesome employees.

Call me on 021 381357